

REMARKS

Claims 60-73, 75, 78, and 81 have been canceled without prejudice or disclaimer. Claims 88-101 have been added. Therefore, claims 74, 76, 77, 79, 80, and 82-101 are pending in the present application. Claim 74 has been amended to incorporate the subject matter of claims 76, 79, and 82. Claims 60-73 have been rewritten as claims 88-101 to depend from claim 74.

It is respectfully submitted that the present amendment presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the above amendments and the following remarks is requested.

I. The Objection to Claims 67-73

The Office objected to claims 67-73 because they depend from a canceled claim. Claims 67-73 have been canceled without prejudice or disclaimer. Therefore, this objection is rendered moot.

II. The Rejection of Claims 60-73 under 35 U.S.C. 112

Claims 60-73 are rejected under 35 U.S.C. 112 as failing to comply with the written description requirement. This rejection is respectfully traversed for the reasons of record. However, in order to advance prosecution, claims 60-73 have been rewritten as claims 88-101 to depend from claim 74. Applicants reserve the right to file a continuation on the canceled subject matter.

III. The Rejection of Claims 60-75, 78, 81 and 86 under 35 U.S.C. 112

Claims 60-75, 78, 81 and 86 are rejected under 35 U.S.C. 112 as failing to comply with the enablement requirement. This rejection is respectfully traversed for the reasons of record. However, in order to advance prosecution, claims 60-73 have been rewritten as claims 88-101 to depend from claim 74 and claim 74 has been amended to incorporate the subject matter of claims 76, 79, and 82. Applicants reserve the right to file a continuation on the canceled subject matter.

IV. The Rejection of Claims 66-73 under 35 U.S.C. 102

The Office maintained the rejection of claims 66-73 under 35 U.S.C. 102(b) as being anticipated by Saloheimo et al. (abstract of Eur. J. Biochem 249(2): 584-591 (1997)) and Ito et al. (abstract of submission to National Research Institute of Brewing, Genetic Engineering Division (2001)). Specifically, the Office stated that "the composition comprising a new product is still

drawn to the product and the claims are not drawn to any method therefore the subject of patentability as claimed is drawn to a product." These rejections are respectfully traversed.

As explained in the prior response, Saloheimo et al. and Ito et al. disclose a GH-61 polypeptide. However, neither reference discloses dough compositions comprising a GH-61 polypeptide and at least one ingredient selected from the group consisting of meal, flour and starch, as claimed in claims 66-73.

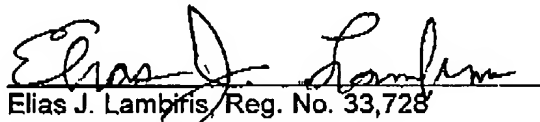
For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 102. Applicants respectfully request reconsideration and withdrawal of the rejection.

V. Conclusion

In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,

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